

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

LORRAINE FAXON MEISNER

Serial No.: 09/997,663

Art Unit: 1616

Filed: 11/29.2001

For: COMPOSITIONS AND METHODS FOR THE
TREATMENT OF SKIN

Commissioner for Patents
Washington, D.C. 20231

Date of Deposit: February 28, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service, as First Class mail, in an envelope, with sufficient postage, addressed to: Commissioner for Patents, Washington, DC 20231

Anne Ziegler
Anne Ziegler

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the prior art and documents listed on the attached Forms SB/08A and SB/08B (5 sheets) be considered by the Examiner and made of record. Copies of the listed prior art required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).


The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§

1.16 to 1.18 be deemed necessary, the Commissioner is hereby authorized to deduct said fees from Gardere Wynne Sewell LLP, Deposit Account No. 07-0153.

Applicant respectfully requests that the listed documents be made of record in the present case.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP

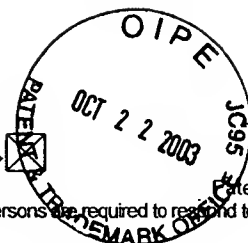

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Dated: February 28, 2002

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
Application Number		09/997,663			
Filing Date		11/29/2001			
First Named Inventor		Lorraine Faxon Meisner			
Group Art Unit		1616			
Examiner Name		121753-1004			
Attorney Docket Number		121753-1004			

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		6,217,914	B1	Meisner	04-17-2001	
		5,902,591	B1	Herstein	05-11-1999	
		5,804,594	B1	Murad	09-08-1998	
		5,750,123	B1	Znaden et al.	05-12-1998	
		5,736,567	B1	Cantin et al.	04-07-1998	
		5,703,122	B1	Duffy	12-30-1997	
		5,516,793	B1	Duffy	05-14-1996	
		5,140,043	B1	Darr et al.	08-18-1992	
		4,983,382	B1	Wilmott et al.	01-08-1991	
		4,938,969	B1	Schinitzky et al.	07-03-1990	
		4,818,521	B1	Tamabuchi	04-04-1989	
		4,772,591	B1	Meisner	09-20-1988	
		4,722,936	B1	Jacob	02-02-1988	
		4,711,780	B1	Fahim	12-08-1987	
		4,647,453	B1	Meisner	03-03-1987	
		4,590,067	B1	Meisner	05-20-1986	
		4,515,771	B1	Fine	05-07-1985	
		4,367,157	B1	Sherman	01-04-1983	
		4,294,852	B1	Windnauer et al.	10-13-1981	


FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		EU	273202	B1		06-21-1995		✓
		JP	61078715			04-22-1986	English Abstract only	✓

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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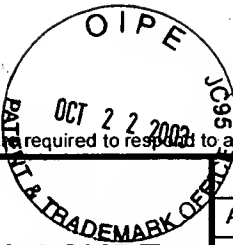
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

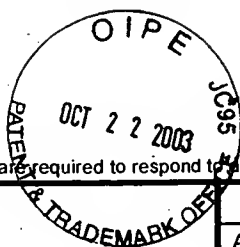
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		Bandelin, et al., J. Am. Pharmacol. Assoc., 44(4), p. 241-244 (1955).	
		Bauerfeind, "Ascorbic Acid: Chemistry, Metabolism, Uses", Seib, et al., Advances in Chemistry, pages 417-429 (1982).	
		Bekesi, et al., Cancer Research, 29, 353-359 (1969).	
		Black, Photochemistry and Photobiology, 46: 213-221 (1987).	
		Borne, et al., J. Med. Chem., 15(12), 1325-1326 (1972).	
		Cooke, et al., "Vitamin C (Ascorbic Acid)", from conference in Warwick, Coventry (April 1981), pp. 167-168, 170-171, Published by Applied Science Publishers.	
		England, et al., Ann. Rev. Nutri., 6:365-394 (1986).	
		Gualano, et al., Pharmacology Res. Commun., 15(7) (July 1983).	
		Hajratwala, S.T.P. Pharma, 1(4), 281-286 (1985).	
		Hall, et al., J. Pharm., 69(12), 1451-1452 (1989).	

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Attorney Docket Number	121753-1004

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite. No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Hornig, et al., "Vitamin C (Ascorbic Acid)", from conference in Warwick, Coventry (April 1981), pp. 225-226, Published by Applied Science Publishers.	
		Imai et al., Jap. J. Pharmacol. Assoc., 317 (1967).	
		Jain et al., Agents and Actions, 11(3), 243 (1981).	
		Kahn et al., Arch Dermatol., 109, 510-517 (1974).	
		Kaplan, et al., J. Cutaneous Aging & Cosmetic Derm., 1(2), 115-121 (1988/89).	
		Kassem et al., Pharmaceutica Acta Helvetiae, 44, 611-623 (1969).	
		Kassem et al., Pharma. Acta Helvetiae, 47U, 89-97 (1972).	
		Kolata, Science, 219, 377-378 (1983).	
		Kunert et al., Lipids, 18, 271 (1983).	
		Kwapiszewski et al., Arch. Immunol. Et Ther. Exp., 17(6), 729-731 (1979).	

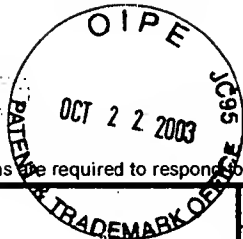
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		Laszlo et al., Journal of the National Cancer Institute, 24, 267-278 (1960).	
		Lien et al., Formosan Med. Assoc., 75:243-250, (1976).	
		Litwin, J. Cell Science, 14, 671-678 (1974).	
		Nobile & Woodhill, "Vitamin C", p. 24, MIP Press Ltd., Boston, MA (1981).	
		Pinnell et al., Cutaneous Aging, Eds. Kligman et al., Univ. of Tokyo Press, 275-292 (1988).	
		Smart et al., Cancer Res., 47, 6633-6638 (1987).	
		Tapadinhas, et al, Pharmatherapeutica, 3(3), 157-168 (1982).	
		Thomas et al., J. Pharm. Pharmacol., 26y(s), 151-152 (1974).	
		West et al., Textbook of Biochemistry, pp. 795, The MacMillan Company, New York (1951).	

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